

Minutes Recap
Marysville City Council, Work Session March 11, 2002

ORIGINAL
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Call to Order, Pledge of Allegiance, Invocation, Roll Call	7:00 p.m.	000296 MW
Committee Reports		
Governmental Affairs by Mr. Leighan		
Audience Participation		
Bud Bleethen, Tony Bundy		
Approval of Minutes		
February 25, 2002 Council Meeting	Approved as corrected	
March 4, 2002 Council Work Session	Approved	
Consent Agenda		
A. Approval of March 11, 2002 claims in the amount of \$929,794.10 paid by check #s 64839-65161	Approved	
B. Approval of renewal of liquor license for First Stop Food Mart.	Approved	
C. Approval of February, 2002 payroll in the amount of \$1,092,384 paid by check #s 42557-42739 with check # 42739 cancelled.	Approved	
D. Authorize Mayor to sign contract for deferred construction of Curbs, Gutters & Sidewalks	Approved	
E. Approval of north end water main improvements W0202, W0203, W0204	Approved	
Review Bids		
Approve low bidder for concrete construction contract Curbs Plus	Approved	
Public Hearings		
Resolution 2063--60 Drive Annexation 60% petition and prezone	Approved	
Bob Grimm Annexation 60% petition-PA 0101003	Continued	
Unfinished Business		
Process for filling Council vacancy	Approved	
New Business		
A. Zoning Code Amendments-PA 0112047	Continued	
B. Access Point Decision Preort-N Marysville Interchange	Approved	
C. Interlocal agreement for conveyance & discharge to treated wastewater between Marysville & Everett	Approved	
D. Contract for capacity in Port Gardner outfall between Marysville & Kimberly Clark, Inc. & option agreement for Port Gardner outfall capacity between Marysville & Kimberly Clark	Approved	
Legal		
Resolution 2064 establishing policy for invocations at meetings	Approved	
Adjournment		
Meeting adjourned at 10:37 p.m.		

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Call to Order/Pledge of Allegiance

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Mayor Weiser called the meeting to order at 7:00 p.m. and led the pledge of allegiance to the flag.

Invocation

The invocation was given by Pastor Johnny Kroeze.

Roll Call

Mary Swenson, Chief Administrative Officer called the roll. The following were

Present: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Donna Wright, Jeff Seibert, Jon Nehring, John Soriano.

Also Present: Chief Administrative Officer, Mary Swenson; City Attorney, Grant Weed; Planning Director, Gloria Hirashima; City Engineer, Robin Nelson; Community Information Officer, Doug Buell; and Recording Secretary, Roberta Stevens.

Committee Reports

The Governmental Affairs committee meeting report was given by Mr. Leighan.

Presentations

Check Presentation for K-9 Unit

Mayor Weiser expressed his thanks and gratitude for the donations of the citizens for responding to the call for donations to purchase the K-9 unit dogs, and reported another \$2,500.00 was donated this evening. Chief Carden spoke regarding Community Policing, the problem presented by the lack of a K-9 Unit and the accomplishment of the community in donating the money for the dogs. Robert Lambert, Loan Center Manager, Cascade Bank, presented a check to the City of Marysville from the citizens for \$20,000.00; introduced Commander Krusey, who was instrumental in bringing this program to Marysville, Sergeant McLeod and Detective Dreyer who will be handling the dogs, and Police Chief Carden.

Audience Participation

Bud Blethen, 10524 38 Avenue NE, Marysville, spoke regarding a contractor claim by Moose City Service Electric. Mr. Blethen voiced his side of a refusal of payment by the consultant to Moose City Service Electric for design errors. Mr.

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Weed remarked that this may result in litigation, and cautioned the City Council against discussing this in a public forum.

Tony Bundy, 7519 Eagle Field Dr, Arlington, spoke expressing his thanks for the new State Avenue project plans. The revised plans looked excellent to him and to his son who is managing his business, Bundy Carpet.

Approval of Minutes

A. February 25, 2002 City Council Meeting.

Mr. Nehring said that on Page 5 of the minutes it was Mr. Seibert that made the remark about compromising his religious beliefs to Pastor Niva, not Mr. Nehring.

MOTION by Mr. Leighan, second by Ms. Smith to approve as corrected the minutes of the February 25 meeting. **MOTION** passed 6-0.

B. March 4, 2002 City Council Work Session.

MOTION by Mr. Leighan, second by Ms. Wright to approve as submitted the minutes of March 4 meeting. **MOTION** passed 6-0.

Consent Agenda

A. Approval of March 11, 2002 Claims in the Amount of \$929,794.10; Paid by Check Nos. 64839 through 65161.

B. Approval of Liquor License Renewal for First Stop Food Mart.

C. Approval of February, 2002 Payroll in the Amount of \$1,092,384; Paid by Check Nos. 42557 through 42739 with Check No. 42739 Cancelled.

D. Approval of Contract for Deferred Construction of Curbs, Gutters, & Sidewalks.

E. Approval of North End Water Main Improvements – W0202, W0203, W0204.

MOTION by Mr. Nehring, second by Mr. Leighan to approve the Consent Agenda items A-E. **MOTION** passed 6-0.

Review Bids

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Award Annual Concrete Construction Contract to Curbs Plus.

Mr. Nelson gave an overview of the project; the City received five bids from contractors on the Small Works Roster. Staff recommends award of the bid to Curbs Plus, in the amount of \$22,329.78.

MOTION by Mr. Leighan, second by Mr. Soriano to award the concrete construction bid to Curbs Plus in the amount of \$22,329.78 and to authorize the Mayor to sign the agreement. **MOTION** passed 6-0.

Public Hearings

A. 60th Drive Annexation; 60% Petition and Pre-zone.

After discussion and debate,

MOTION Mr. Leighan moved, second by Mr. Nehring to approve **Resolution 2063** and send the 60 Drive Annexation 60% petition and pre-zone to the Boundary Review Board for approval, subject to the bonded indebtedness of the City. **MOTION** passed 6-0.

B. Bob Grimm Annexation; 60% Petition; PA 0101003.

The following people spoke in opposition to the annexation:

Donna Bows, 1535 Grove Street, Marysville
Jackie Higbee, 7622 59 Ave. NE, Marysville
Danny Frane, 7719 59 Ave. NE, Marysville
Ann Heehn 7609 59 Ave. NE, Marysville
Yvonne Chatterson, 7615 59 Ave. NE, Marysville
Barbara Riley, and Mr. Clementson.

After discussion and debate,

MOTION by Ms. Smith, second by Mr. Nehring to continue the public hearing on the Grimm Annexation until a neighborhood meeting has been held and it is on the agenda for the April 8 Work Session. Public comment will be held open until the April 15 City Council meeting. **MOTION** passed 4-2 with Ms. Wright and Mr. Leighan opposed.

Unfinished Business

Process for Filling Council Vacancy; continued from 2/25/02.

Mr. Weed gave an overview regarding the discussion at the Council retreat the March 9th. Mr. Weed provided his understanding of the discussion in written form as a suggested motion. After discussion and debate,

MOTION by Mr. Nehring, second by Mr. Siebert to adopt the following procedure in addition to that prescribed by State Law and City Ordinance for the filling of the vacant City Council position:

1. Following closure of the time period for submitting letters of interest, the City Administration and Police Department will conduct a background check of the candidates to be sure they meet the minimum qualifications set by law such as residency, age, lack of criminal history.
2. On March 18, 2002 at 6:00 p.m. the City Council will conduct a social hour for all applicants at the Fire Department Training Room.
3. Following the social hour each candidate's name will be placed in a container and they will be drawn at random to determine the order in which they will be allowed to make a presentation to the City Council during its regular meeting on March 18, 2002. The presentation shall not exceed five minutes and shall be made while the other candidates remain in the Fire Training Room.
4. Following each candidate's presentation each Councilmember shall have an opportunity to ask the candidate one question which is relevant to the position of Councilmember. The candidate will have up to one minute to answer each question.
5. Following the presentation and questions to all candidates, the Mayor shall open the floor to Councilmembers to place names of candidates in nomination for the Council vacancy.
6. Each Councilmember will receive a paper ballot with that Councilmember's on it and a vote shall be taken by each Councilmember writing the name of one of the nominated candidates on the ballot. The ballots will be collected and the name of each Councilmember and the person he or she voted for shall be read aloud and tallied by the Chief Administrative Officer.
7. In the event any candidate receives four or more votes, a motion may be made by any Councilmember to affirm the appointment of that candidate to the position. If no candidate receives four votes, those candidates who did not receive any votes shall be removed from nomination. If after three rounds of ballots no candidate has received at least four votes, the Mayor will open the floor for re-nomination of any candidate and steps 8-10 which provide for a weighted vote shall be followed.

8. Following any re-nomination of candidates, the Council will conduct a weighted vote allowing each Councilmember to write three names on his or her ballot. The three names shall be in order of preference with the first preference at the top of the ballot, the second preference in the middle of the ballot and the third preference at the bottom of the ballot. The Chief Administrative Officer shall tally the ballots with each candidate who receives a first preference getting three points, the candidate getting second preference getting two points and the candidate getting third preference getting one point. All of the points for each candidate shall be tallied and the three candidates receiving the most points shall be finalists.

9. Each Councilmember shall then be allowed to cast a final ballot for the finalists with a weighted vote using the same point system.

10. The Mayor will then entertain a motion to reaffirm the candidate with the most votes for the appointment to the Council vacancy. In the event there are at least four votes in favor of the candidate with the most points, that candidate will be sworn in to fill the Council vacancy. In the event there is not at least four votes to appoint a candidate, the Council will discuss and agree on what steps will be taken to break the deadlock.

MOTION passed 6-0.

New Business

The Mayor recessed the meeting from 8:40 p.m. until 8:50 p.m.

A. Zoning Code Amendments; PA 0112047.

The following spoke in opposition to several of the Zoning Code Amendments: Mr. David Toyer, 2155 112 Ave NE, Bellevue, representing the Master Builders Association and requested a public hearing.

After discussion and debate,

MOTION by Mr. Siebert, second by Mr. Soriano to hold a public hearing at the April 15 work session, and to continue the Zoning Code Amendments until the April 22 City Council meeting. **MOTION** passed 6-0.

B. Access Point Decision Report – North Marysville Interchange.

Mr. Nelson gave an overview of the project. **MOTION** by Mr. Soriano, second by Mr. Siebert, to authorize the Mayor to sign the professional services agreement with Perteet Engineering and approve a budget amendment to pay for the design report. **MOTION** passed 6-0.

C. Interlocal Agreement for Conveyance and Discharge of Treated Wastewater between the City of Marysville and City of Everett.

MOTION by Mr. Siebert, second by Mr. Nehring to enter into an Interlocal Agreement for conveyance and discharge of treated wastewater between the City of Marysville and City of Everett and under 3.1.3 and 3.2.2 the addition after the sentence ".....Municipal Conveyance Facilities." "Imputed interest will be calculated based on the City of Everett managed investments rate of return for the same period." Section 6 optional section is deleted, and authorize the Mayor to sign the agreement. **MOTION** passed 6-0.

D. Contract for Capacity in Port Gardner Outfall Between the City Marysville and Kimberly Clark, Inc. and Option Agreement for Port Gardner Outfall Capacity Between the City of Marysville and Kimberly Clark, Inc.

Mr. Nelson gave an overview, and reported that the final documents have been forwarded to Mr. Weed. Mr. Weed said the only difference were minor grammatical corrections; it is essentially the same agreement. **MOTION** by Mr. Nehring, second by Mr. Siebert to approve the agreement with Kimberly Clark for the Port Gardner outfall and authorize the Mayor to sign. **MOTION** passed 6-0

Ms. Swenson announced she wants to publicly recognize Mr. Ken Winckler, Public Works Director; Mr. Grant Weed, City Attorney; and Mr. Robin Nelson, City Engineer, for their long hours and hard work on both of these contracts.

Legal

Ordinances and Resolutions

A Resolution of the City Council of the City of Marysville, Washington Establishing a Policy for Invocations at City Council Meetings.

MOTION by Siebert, second by Wright to approve the Invocation at City Council Meetings as **Resolution 2064** amended to delete where "clergy" appears and insert "religious representative". **MOTION** passed 6-0.

Information Items

A. Mayor's Business.

Mayor Weiser thanked Lillie Lein, Gerry Becker, and Roberta Stevens for their work on and at the retreat, as well as thanking staff and the Council for their efforts.

B. Staff Business.

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Ms. Swenson suggested meeting on May 11th to discuss future visioning and goal setting that had been previously discussed.

Mr. Weed has the procedures of conduct for City Council meetings prepared as an amending resolution and it will be in the Council packets next week.

Ms. Hirashima noted that the following 2002 Comprehensive Plan Amendments neighborhood meetings on the following proposed actions will be at the following locations, time, and date:

NE corner of 64 St NE (SR 528) and SR 9—**Wednesday, March 20 from 6-7:30 p.m. at the Allen Creek Elementary School, (6505 60 Dr. NE).**

SW corner of Grove St and 67 Ave. NE—**Thursday, March 21 from 6-7:30 p.m. at Cedarcrest Middle School, (6400 88 St. NE).**

Cedarcrest/Getchell Hill area—**Wednesday, March 27 from 6-7:30 p.m. at Cedarcrest Middle School, (6400 88 St. NE).**

Mr. Nelson reminded members that there is a Public Works committee meeting March 14 at 2 p.m. He said that the Sunnyside Trunk D construction begins April 1.

C. Call on Councilmembers.

All of the Councilmembers thanked the people that worked on the retreat and also to staff for the spirit of cooperation evidenced there.

Mr. Siefert asked that no mobilization vehicles be on or blocking private property without the permission of the property owner.

Ms. Wright reported she had received two calls regarding the South turn lane at the 116 Street railroad crossing. She said that there is no sign saying no right turn on State Avenue and 116 Street for the railroad crossing. Mr. Nelson stated that the City is putting in channelization this year and next year signs and an arm.

Mr. Leighan asked that the Planning Commission be invited to the DOE storm water meeting on April 1 at the Public Safety Center. He said that Jeff Massie had a well prepared presentation at the State Avenue meetings that he recently attended. He extended to Ken Winckler thanks for all the work he has done for the City.

Ms. Smith said that she appreciates the fact that lines of communication have been opened and everyone is working together.

Mr. Soriano expressed thanks to Chief Carden for the racing ordinance the department is preparing.

Mr. Nehring extended his thanks to Mr. Bundy for the positive feed back regarding the State Avenue project.

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Adjournment

Meeting adjourned at 10:37 p.m.

Approved this 25th day of March, 2002



Mayor



City Clerk



Recording Secretary 3/25/02

ORIGINAL

Call to Order/Pledge of Allegiance

Roll Call

Mary Swenson, Chief Administrative Officer called the roll. The following were

Present: Mayor David Weiser, Mayor Pro Tem Mike Leighan, Councilmembers Suzanne Smith, Donna Wright, Jeff Seibert, Jon Nehring, John Soriano.

Also Present: Chief Administrative Officer, Mary Swenson, City Attorney, Grant Weed, Public Works Director, Ken Winckler, Planning Director, Gloria Hirashima, City Engineer, Robin Nelson Recording Secretary, Roberta Stevens.

Visitors: Lorena Eng, Klara Fabry, Steve Miller from WSDOT

Discussion Items

SR529 South Bound Bridge Closure Briefing: Lorena Eng & Klara Fabry from WSDOT.

Ms. Lorena Eng, Northwest Region Administrator for WSDOT, introduced Ms. Klara Fabry, Assistant Regional Administrator Snohomish Area for WSDOT. Ms. Fabry asked for suggestions on any groups or neighborhoods that WSDOT might be able to visit and present information on the SR 529 construction and closure. She then directed attention to Mr. Steve Miller who gave a presentation regarding the closure, construction, and the actions WSDOT was making to ensure the least amount of confusion and traffic delays. It was noted that the northbound evening commute would encompass greater delays than the construction of last year. After the presentation, there was a brief question and answer session.

Interlocal Agreement for Conveyance & Discharge of Treated Wastewater between the City of Marysville & the City of Everett.

Mr. Winckler detailed the Interlocal Agreement between the City of Marysville and the City of Everett paragraph by paragraph. Mr. Winckler, Mr. Nelson, and Mr. Weed answered questions that the City Councilmembers posed as each part of the contract was read and explained.

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Contract for Capacity in Port Gardner Outfall Between the City of Marysville & Kimberly Clark, Inc. & Option Agreement for Port Gardner Outfall Capacity Between the City of Marysville & Kimberly Clark, Inc.

Mr. Winckler delivered an in-depth explanation of the contract between the City of Marysville and Kimberly Clark, Inc. for the capacity and option agreement. Mr. Winckler, Mr. Nelson, and Mr. Weed supplied answers to the questions that the City Councilmembers had regarding the agreement.

Process for Filling Council Vacancy; continued from 2/25/02.

A discussion was held on various ways to assure the filling of the City Council seat one that is currently vacant. There was a consensus of bringing in the nominees one at a time and giving them a short question and answer period. After the interviews, the council members would nominate and vote on the candidates.

Zoning Code Amendments; PA 0112047.

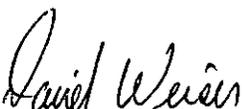
Mayor Weiser asked the City Council members to call Ms. Hirashima prior to the March 11 meeting if they had any questions or concerns regarding the proposed Zoning Code Amendments.

Access Point Decision Report--North Marysville Interchange.

Mr. Winckler distributed the information to the City Council that will appear in their packets on March 11 regarding the Access Point Decision Report for the North Marysville Interchange.

The meeting was adjourned at 9:38 p.m.

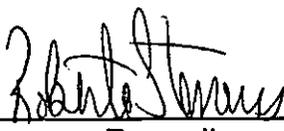
Approved this 11th day of March, 2002.



Mayor



City Clerk

 3/11/02

Recording Secretary